

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

In re:

BIG LOTS, INC., *et al.*,

Debtors.<sup>1</sup>

Chapter 11

Case No. 24-11967 (JKS)

(Jointly Administered)

**NOTICE OF AMENDED<sup>2</sup> AGENDA FOR HEARING SCHEDULED FOR  
SEPTEMBER 30, 2024, AT 11:00 A.M. (ET)**

This proceeding will be conducted **in-person** in courtroom 6.

All counsel and witnesses are expected to attend unless permitted to appear remotely via Zoom. Please refer to Judge Stickles' Chambers Procedures (<https://www.deb.uscourts.gov/content/judge-j-kate-stickles>) and the Court's website (<http://www.deb.uscourts.gov/ecourt-appearances>) for information on who may participate remotely, the method of allowed participation (video or audio), Judge Stickles' expectations of remote participants, and the advance registration requirements.

Registration is required by 4:00 p.m. (Prevailing Eastern Time) the business day before the hearing unless otherwise noticed using the *eCourtAppearances* tool available on the Court's website.

**MATTER GOING FORWARD**

1. Notice of Successful and Backup Bidder with Respect to the Auction of Certain of the Debtors' Lease Assets and Assumption and Assignment of Certain Unexpired Leases ([D.I. 229](#), filed 9/19/24).

Objection Deadline: September 26, 2024, at 4:00 p.m. (ET).

Responses Received:

- a) Informal comments from Burlington Coat Factory Warehouse Corp.;

<sup>1</sup> The debtors and debtors in possession in these chapter 11 cases, along with the last four digits of their respective employer identification numbers, are as follows: Great Basin, LLC (6158); Big Lots, Inc. (9097); Big Lots Management, LLC (7948); Consolidated Property Holdings, LLC (0984); Broyhill LLC (7868); Big Lots Stores - PNS, LLC (5262); Big Lots Stores, LLC (6811); BLBO Tenant, LLC (0552); Big Lots Stores - CSR, LLC (6182); CSC Distribution LLC (8785); Closeout Distribution, LLC (0309); Durant DC, LLC (2033); AVDC, LLC (3400); GAFDC LLC (8673); PAFDC LLC (2377); WAFDC, LLC (6163); INFDC, LLC (2820); Big Lots eCommerce LLC (9612); and Big Lots F&S, LLC (3277). The address of the debtors' corporate headquarters is 4900 E. Dublin-Granville Road, Columbus, OH 43081.

<sup>2</sup> Amended items appear in bold.

- b) Informal comments from Ollies Bargain Outlet, Inc.;
- c) Informal comments from Paradise Isle Destin, LLC;
- d) Informal comments from Ocean State Jobbers, Inc.;
- e) Informal comments from Agree Central, LLC;
- f) Informal comments from American Signature, Inc.;
- g) **[WITHDRAWN] Lease Sale and Adequate Assurance Objection of Gratiot, LLC Relating to Debtor's Store Located at Gratiot Shopping Center in Chesterfield MI ([D.I. 278](#), filed 9/25/24);**
- h) **Amended Withdrawal of Lease Sale and Adequate Assurance Objection of Gratiot, LLC Relating to Debtor's Store Located at Gratiot Shopping Center in Chesterfield MI ([D.I. 298](#), filed 9/26/24);**
- i) **Limited Objection of Mideb Nominees, Inc., Levin & Oberman II LLC and Mitchell Lauford, as Trustee, to Proposed Assumption and Assignment of Lease ([D.I. 301](#), filed 9/26/24);**
- j) **[WITHDRAWN] Limited Objection and Reservation of Rights of Upper Glen Street Associates, L.L.C. to Debtors' Proposed Cure Amounts for Certain Unexpired Leases ([D.I. 302](#), filed 9/26/24);**
- k) **Limited Objection of Joffe Properties, LP to Notice of (A) Bid Deadline, (B) Sale Hearing, and (C) Potential Assumption and Assignment of Certain Unexpired Leases and Reservation of Rights ([D.I. 306](#), filed 9/26/24);**
- l) **Objection of NS Retail Holdings, LLC to Motion of Debtors for Entry of Interim and Final Orders (I) Establishing Procedures to Sell Certain Leases, (II) Approving the Sale of Certain Leases, and (III) Granting Related Relief; and Proposed Order Lodged in Relation Thereto ([D.I. 307](#), filed 9/26/24);**
- m) **Limited Objection and Reservation of Rights of WPG Legacy, LLC to the Notice of Successful and Backup Bidder with Respect to the Auction of Certain of the Debtors' Lease Assets and Assumption and Assignment of Certain Unexpired Leases ([D.I. 308](#), filed 9/26/24);**
- n) **Objection and Reservation of Rights of Realty Income Corporation to Notice of Successful and Backup Bidder with Respect to the Auction and Certain of the Debtors' Lease Assets and Assumption and Assignment of Certain Unexpired Leases ([D.I. 309](#), filed 9/26/24);**
- o) **Reservation of Rights and Limited Objection of River South Commons, LLC in Response to Debtors' Notice of Successful and Backup Bidder with Respect to the Auction of Certain Unexpired Leases ([D.I. 310](#), filed 9/26/24); and**

p) **Notice of Withdrawal of Limited Objection and Reservation of Rights of Upper Glen Street Associates, L.L.C. to Debtors' Proposed Cure Amounts for Certain Unexpired Leases ([D.I. 326](#), filed 9/27/24).**

Related Documents:

- a) Notice of Proposed Cure Amounts for Certain Unexpired Leases ([D.I. 66](#), filed 9/9/24);
- b) Interim Order (I) Establishing Procedures to Sell Certain Leases, (II) Approving the Sale of Certain Leases and (III) Granting Related Relief ([D.I. 137](#), entered 9/11/24);
- c) Notice of (A) Bid Deadline, (B) Sale Hearing, and (C) Potential Assumption and Assignment of Certain Unexpired Leases ([D.I. 151](#), filed 9/12/24);
- d) Notice of Lease Sale Auction ([D.I. 175](#), filed 9/16/24);
- e) Supplemental Notice of Lease Sale Auction and List of September Lease Assets ([D.I. 196](#), filed 9/17/24);
- f) Notice of Abandonment, Utilization and Disposal of Personal Property on Certain of the Debtors' Leased Premises Sold Pursuant to the September Wave Lease Sales ([D.I. 251](#), filed 9/23/24);
- g) Notice of Filing of Proposed Order Pursuant to Section 363 and 365 of the Bankruptcy Code Authorizing the Debtors-in-Possession to Terminate or Assume, Assign and Sell Certain Non-Residential Real Property Leases ([D.I. 252](#), filed 9/23/24);
- h) Notice of Supplemental Lease Sale Auction ([D.I. 266](#), filed 9/24/24);
- i) Notice of Successful and Backup Bidder with Respect to the Supplemental Auction of Certain of the Debtors' Lease Assets and Assumption and Assignment of Certain Unexpired leases ([D.I. 286](#), filed 9/25/24);
- j) **Notice of Filing of Revised Proposed Order Pursuant to Section 363 and 365 of the Bankruptcy Code Authorizing the Debtors-in-Possession to Terminate or Assume, Assign and Sell Certain Non-Residential Real Property Leases ([D.I. 350](#), filed 9/27/24);**
- k) **Declaration of Todd Eyler of A&G Real Estate Partners, in Support of Order (I) Authorizing and Approving the Sale of Certain of the Debtors Assets Free and Clear of All Claims, Liens, Rights, Interests, Encumbrances, and Other Assumed Liabilities and Permitted Encumbrances, (II) Authorizing and Approving the Assumption and Assignment of Certain Executory Contracts**

**and Unexpired Leases, and (III) Granting Related Relief ([D.I. 351](#), filed 9/29/24); and**

- 1) **Notice of Filing of Further Revised Proposed Order Pursuant to Section 363 and 365 of the Bankruptcy Code Authorizing the Debtors-in-Possession to Terminate or Assume, Assign and Sell Certain Non-Residential Real Property Leases ([D.I. 352](#), filed 9/30/24).**

Status: Objections (g) and (j) have been withdrawn. Objection (k) is moot because the affected property is being rejected and is not proposed to be sold under this proposed order. Objection (o) has been resolved. The Debtors anticipate filing a further revised form of order before the hearing and that this matter will go forward on a consensual basis.

*[Remainder of Page Intentionally Left Blank]*

Dated: September 30, 2024  
Wilmington, DE

MORRIS, NICHOLS, ARSHT & TUNNELL LLP

/s/ Casey B. Sawyer

Robert J. Dehney, Sr. (No. 3578)  
Andrew R. Remming (No. 5120)  
Tamara K. Mann (No. 5643)  
Sophie Rogers Churchill (No. 6905)  
Casey B. Sawyer (No. 7260)  
1201 N. Market Street, 16<sup>th</sup> Floor  
Wilmington, DE 19801  
Tel: (302) 658-9200  
[rdehney@morrisnichols.com](mailto:rdehney@morrisnichols.com)  
[aremming@morrisnichols.com](mailto:aremming@morrisnichols.com)  
[tmann@morrisnichols.com](mailto:tmann@morrisnichols.com)  
[srchurchill@morrisnichols.com](mailto:srchurchill@morrisnichols.com)  
[csawyer@morrisnichols.com](mailto:csawyer@morrisnichols.com)

-and-

DAVIS POLK & WARDWELL LLP

Brian M. Resnick (admitted *pro hac vice*)  
Adam L. Shpeen (admitted *pro hac vice*)  
Stephen D. Piraino (admitted *pro hac vice*)  
Jonah A. Peppiatt (admitted *pro hac vice*)  
Ethan Stern (admitted *pro hac vice*)  
450 Lexington Avenue  
New York, NY 10017  
Tel.: (212) 450-4000  
[brian.resnick@davispolk.com](mailto:brian.resnick@davispolk.com)  
[adam.shpeen@davispolk.com](mailto:adam.shpeen@davispolk.com)  
[stephen.piraino@davispolk.com](mailto:stephen.piraino@davispolk.com)  
[jonah.peppiatt@davispolk.com](mailto:jonah.peppiatt@davispolk.com)  
[ethan.stern@davispolk.com](mailto:ethan.stern@davispolk.com)

*Proposed Counsel to the Debtors and  
Debtors in Possession*